

A. Dean Tranmer I.B. # 2793  
City of Pocatello  
P. O. Box 4169  
Pocatello, ID 83201  
(208) 234-6149  
(208) 234-6297 (Fax)  
[dtranmer@pocatello.us](mailto:dtranmer@pocatello.us)

Sarah A. Klahn, #7928  
Kelly L. Snodgrass  
White & Jankowski, LLP  
511 Sixteenth Street, Suite 500  
Denver, Colorado 80202  
(303) 595-9441  
(303) 825-5632 (Fax)  
[sarahk@white-jankowski.com](mailto:sarahk@white-jankowski.com)

ATTORNEYS FOR  
THE CITY OF POCATELLO

Randall C. Budge I.B. # 1949  
Candice M. McHugh, I.B. #5809  
Racine, Olson, Nye, Budge & Bailey,  
Chartered  
101 S Capitol Blvd., Ste. 208  
Boise, ID 83702  
(208) 395-0011  
[cmm@racinelaw.net](mailto:cmm@racinelaw.net)  
[rcb@racinelaw.net](mailto:rcb@racinelaw.net)

ATTORNEYS FOR IDAHO GROUND  
WATER APPROPRIATORS

**BEFORE DEPARTMENT OF WATER RESOURCES**

**STATE OF IDAHO**

IN THE MATTER OF THE  
PETITION FOR DELIVERY CALL  
OF A&B IRRIGATION DISTRICT  
FOR THE DELIVERY OF GROUND  
WATER AND FOR THE CREATION  
OF A GROUND WATER  
MANAGEMENT AREA

Docket No.: 37-03-11-1

**NOTICE OF SERVICE OF  
POCATELLO AND IGWA'S JOINT  
RESPONSE TO A&B'S  
MEMORANDUM IN SUPPORT OF  
MOTION FOR SUMMARY  
JUDGMENT**

**NOTICE OF AVAILABILITY TO  
OTHER PARTIES**

**PLEASE TAKE NOTICE**, that the City of Pocatello ("Pocatello") and Idaho Ground Water Appropriators, Inc. and its Ground Water District Members, for and on behalf of their respective members (collectively "IGWA"), through counsel, provide notice that they have filed with the Idaho Department of Water Resources the following: **IGWA and Pocatello's Joint**

NOTICE OF SERVICE OF POCATELLO AND IGWA'S JOINT RESPONSE TO A&B'S MEMORANDUM IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT and NOTICE OF AVAILABILITY TO OTHER PARTIES

**Response to Memorandum in Support of A&B Irrigation District's Motion for Summary Judgment, Affidavit of Sarah A. Klahn, and Affidavit of Gregory K. Sullivan** and served the Hearing Officer, and counsel for A&B Irrigation District by the method indicated:

By Hand Delivery:

Idaho Department of Water Resources  
c/o Victoria Wigle  
322 E. Front St.  
Boise, ID 83702

Hon. Gerald F. Schroeder (Hearing Officer)  
Home address via Federal Express

Via email and U.S. mail:

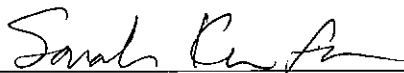
John K. Simpson  
Travis L. Thompson  
Paul L. Arrington  
BARKER ROSHOLT & SIMPSON LLPC  
113 Main Avenue West, Suite 303  
PO Box 485  
Twin Falls, ID 83303-0485  
[jks@idahowaters.com](mailto:jks@idahowaters.com)  
[tlt@idahowaters.com](mailto:tlt@idahowaters.com)  
[pka@idahowaters.com](mailto:pka@idahowaters.com)

Roger D. Ling  
Attorney at Law  
PO Box 396  
Rupert, ID 83350  
[rdl@lawfirm.com](mailto:rdl@lawfirm.com)

Copies of these pleadings and any exhibits will be made available to any other party upon request in printed copies or on compact disc, whichever medium is preferred.

DATED this 22<sup>nd</sup> day of October, 2008.


RACINE, OLSON, NYE, BUDGE &  
BAILEY, CHARTERED

By:   
Candice M. McHugh  
Attorney for IGWA

CITY OF POCA TELLO ATTORNEY'S OFFICE  
Attorneys for the City of Pocatello

By   
A. Dean Tranmer

WHITE & JANKOWSKI, LLP  
Attorneys for the City of Pocatello

By   
Sarah A. Klahn  
WHITE & JANKOWSKI, LLP

## CERTIFICATE OF SERVICE VIA E-MAILING / MAILING

I hereby certify that on this 22<sup>nd</sup> day of October, 2008, a copy of **Notice of Service and Availability of Pocatello and IGWA's Response to Memorandum in Support of A&B's Motion for Summary Judgment in the Petition for Delivery Call of A&B Irrigation District** was served by email and/or by placing a copy in the U.S. Mail, postage prepaid and addressed to the following:



Sarah A. Klahn, White & Jankowski, LLP

<p>David R. Tuthill, Jr., Director Gerald F. Schroeder, Hearing Officer -via Federal Express to home c/o Victoria Wigle Idaho Dept of Water Resources PO Box 83720 Boise ID 83720-0098</p> <p>Phone: 208-287-4803 Facsimile: 208-287-6700 <a href="mailto:Dave.tuthill@idwr.idaho.gov">Dave.tuthill@idwr.idaho.gov</a> <a href="mailto:fcjschroeder@gmail.com">fcjschroeder@gmail.com</a> <a href="mailto:victoria.wigle@idwr.idaho.com">victoria.wigle@idwr.idaho.com</a></p>	<p>Roger D. Ling Attorney at Law PO Box 623 Rupert ID 83350</p> <p>Facsimile: 208-436-6804 <a href="mailto:rdl@idlawfirm.com">rdl@idlawfirm.com</a></p>	<p>John K. Simpson Travis L. Thompson Barker Rosholt &amp; Simpson 113 Main Ave West Ste 303 PO Box 485 Twin Falls ID 83303-0485</p> <p>facsimile 208-735-2444 <a href="mailto:jks@idahowaters.com">jks@idahowaters.com</a> <a href="mailto:flt@idahowaters.com">flt@idahowaters.com</a></p>
<p>B.J. Driscoll McGrath Meacham Smith PLLC 414 Shoup PO Box 50731 Idaho Falls ID 83405</p>	<p>Randy Budge Racine Olson Nye Budge &amp; Bailey 201 E Center St PO Box 1391 Pocatello ID 83204-1391 <a href="mailto:rbc@racinelaw.net">rbc@racinelaw.net</a></p>	<p>Candice M. McHugh Racine Olson Nye Budge &amp; Bailey 101 S Capitol Ste 208 Boise ID 83702</p> <p>Sent via Federal Express <a href="mailto:cmm@racinelaw.net">cmm@racinelaw.net</a></p>
<p>Michael Patterson, President Desert Ridge Farms Inc. PO Box 185 Paul ID 83347</p>	<p>City of Firth PO Box 37 Firth ID 83236</p>	<p>Todd Lowder 2607 W 1200 S Sterling ID 83210</p>
<p>Neil and Julie Morgan 762 W Hwy 39 Blackfoot ID 83221</p>	<p>Charlene Patterson Patterson Farms of Idaho 277 N 725 Lane W Paul ID 83347</p>	<p>William A. Parsons Parsons Smith Stone LLP 137 West 13<sup>th</sup> St PO Box 910 Burley ID 83318 <a href="mailto:wparsons@pmt.org">wparsons@pmt.org</a></p>
<p>A. Dean Tranmer, Esq. City of Pocatello PO Box 4169 Pocatello ID 83201 <a href="mailto:dtranmer@pocatello.us">dtranmer@pocatello.us</a></p>	<p>Winding Brook Corp c/o Charles W Bryan Jr UBS Agrivest LLC PO Box 53 Nampa ID 83653</p>	<p>James C. Tucker Idaho Power Company 1221 W Idaho St Boise ID 83702-5627 <a href="mailto:jamestucker@idahopower.com">jamestucker@idahopower.com</a></p>

James S. Lochhead Michael A. Gheleta Brownstein Hyatt Farber Schreck 410 – 17 <sup>th</sup> St Ste 2200 Denver CO 80202 <a href="mailto:jlochhead@bhf-law.com">jlochhead@bhf-law.com</a>	City of Castleford 300 Main PO Box 626 Castleford ID 83321	F. Randall Kline 427 N Main St PO Box 397 Pocatello ID 83204
Lary S Larson Hopkins Roden Crockett Hansen & Hoopes PO Box 51219 Idaho Falls ID 83405-1219	Jo Beeman, Esq. Beeman & Associates 409 W Jefferson Boise ID 83702 <a href="mailto:Jo.beeman@beemanlaw.com">Jo.beeman@beemanlaw.com</a>	City of Basalt PO Box 178 Basalt ID 83218
M. Jay Meyers Myers Law Office 300 N 7 <sup>th</sup> Ave PO Box 4747 Pocatello ID 83205	Steve L Stephens Butte Co Prosecuting Attorney 260 Grand Ave PO Box 736 Arco ID 83213	LaDell and Sherry Anderson 304 N 500 W Paul ID 83347
Michael D. O'Hagan, Esq. US Dept of Energy - Idaho Operations Office 1955 Fremont Ave MS 1209 Idaho Falls ID 83415 <a href="mailto:ohaganmd@id.doe.gov">ohaganmd@id.doe.gov</a>	Mary Ann Plant 480 N 150 W Blackfoot ID 83221	O.E. Feld & Berneta Feld 1470 S 2750 W Aberdeen ID 83210
Jeff Feld 719 Bitterroot Dr Pocaello ID 83201	Eugene Hruza PO Box 66 Minidoka ID 83343	Jerry R. Rigby Rigby Andrus and Moeller 25 N 2 <sup>nd</sup> East Rexburg ID 83440 <a href="mailto:jrigby@rigby-thatcher.com">jrigby@rigby-thatcher.com</a>
Robert E. Williams Fredericksen Williams Meservy & Lothspecih LLP 153 E Main St PO Box 168 Jerome ID 83338 <a href="mailto:rewilliams@cableone.net">rewilliams@cableone.net</a>	Gregory P. Meacham McGrath Meacham & Smith PLLC 414 Shoup Idaho Falls ID 83405	Fred & Phyllis Stewart 300 Sugar Leo Road St George UT 84790